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COCHIN LEGISLATIVE COUNCIL.

Monday, *the* *4th of August 1930.*
20th of Karkadagam 1105.

The House met at Half-past Eleven of the Clock with the President in the Chair. Messrs. K. T. Mathew and A. Sankara Menon were absent.

QUESTIONS AND ANSWERS.

Extension of the period of vacation for the Munsiffs' Courts.

31. Mr. C. A. Kunjunni Raja.—Will the Government be pleased to state:—

(a) (i) if Mr. V. K. Kuttan Menon, District Munsiff of Trichur, had requested that the Chief Court may recommend that the mid-summer vacation period of Munsiffs' Courts should be two months as that of the District Judges ;

(ii) if so, what is that communication ;

(b) will a copy of the reply of the Chief Court be placed on the table of the House ;

(c) what are the objections to extend the period of such vacation as represented by the Munsiff ?

Rama Varmha Tampuran.—(a) (i) Yes.

(ii) Copy of the communication is placed on the table. (*Vide Appendix I.*)

(b) The reply of the Chief Court being confidential cannot be published.

(c) In British India and Travancore the same distinction as to vacation between the District Courts and Munsiffs' Courts is observed. In the opinion of the Judges there is no sufficient ground for deviating from the existing practice.

Termination of the contract for felling the timber in the Vellikkamukku Coupe.

32. Mr. C. A. Kunjunni Raja.—Will the Government be pleased to state:—

(a) the date on which the contract for felling timber in the Vellikkamukku Coupe in the Palappilli Range with Mr. T. A. Rama Ayyar terminated ;

(b) were tenders invited for the removal of the toplings in that coupe in 1105 ; if so, who were the tenderers and what were their respective rates ;

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APPENDIX I.

(Vide answer to Question No. 51).

From

The District Munsiff of Trichur.

To

The Honourable the Judges of the Chief Court of Cochin.

Through

The District Judge of Trichur.

Respected Sirs,

All the offices entitled to vacation are given a period of two months for the Mid-summer vacation with the single exception of the Munsiffs' Courts which are given only 6 weeks. The disabilities of being vacationed officers are the same and it cannot be said that the work of the Munsiffs and subordinates in the said courts are in any way lighter or less tedious or onerous than in the other offices. I would even go the length of asserting that we are far more heavily worked than all the other officers excepting probably the District Judges who, with us, are obliged to do home work besides the 5 hours or 5½ hours of work in courts.

2. The District Judges and the Munsiffs are treated on an equal footing in all respects except with regard to the subordination of the latter to the former and there is no conceivable reason for making this invidious distinction between the two courts in the matter of the vacation alone. The litigants cannot in any way be prejudiced by the alteration and the vakils will certainly be saved a lot of inconvenience thereby. The nature of the work, the climatic condition, &c., are the same and even if there were any justification in times of yore which we are at a loss to appreciate at present, it has long ago ceased to exist in reason or principle and there is no ground whatever to perpetuate this inequality, hardship and injustice except on the ground of a *Mamool*. I may also be permitted to bring to your Honours' kind notice that to the best of my information previously there was some difference between the District Courts and the Chief Court in this matter which was taken away at some past period probably on the same grounds. Meenam and Medam are the hotest parts of the year in Cochin and the Munsiffs are also to be given rest from their hard work during the period in question.

3. It is true in British India this distinction is preserved even to-day but, I presume, the origin of the said distinction and its perpetuation there are probably due to the fact that the majority of the Judges in the High Court and the District Courts are Europeans who want to enjoy the privilege of a longer vacation in cool climates. Even such a distinction is not applicable in the State.

4. I, therefore, pray that the Judges may be pleased to favourably consider this matter and to redress my grievances at an early date.

I beg to remain,
Respected Sirs,
Your most obedient servant,
(Signed) V. K. KUTTAN MENON,
District Munsiff,
Trichur.

22nd Makaram 1105.

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